

# MSA COMPLIANCE ADVISORY BOARD MEETING AGENDA

Wednesday, September 29, 2021

10:00 a.m.

Dial-in number (US): (701) 802-5352

Access code: 8503559#

**I. Call to Order/Intro**-----Michael Plumley

**II. Minutes approval**----- Michael Plumley

**III. Old business** ----- Michael Plumley

**A. E-cigs/JUUL**-----Michael Plumley

--VUSE has opened its first [VUSE INSPIRATION STORE](#) in Houston. It appears to resemble the approach taken in IQOS stores, with "friendly VUSE ambassadors," and other similar tactics.

--JUUL negotiations ongoing.

**B. NPM Adjustment Settlement update**-----Michael Plumley

--2020 proceeding began with document production to the data clearing house on August 1, 2021. Preliminary report found Kentucky should have no reduction to its payment.

**C. FDA action**-----Michael Plumley

--Graphic warning challenges continue in TX, DC. Effective date extended to October 11, 2022.

-- On September 9, 2021, FDA announced that it had completed review of more than 90% of the PMTAs submitted by the September 9, 2020 deadline. No marketing orders were issued; marketing denial orders were issued for almost a million flavored ENDS products because FDA concluded "that they failed to provide sufficient evidence that those products will benefit adult smokers to an extent sufficient to justify their documented risks to youth." No action yet taken on the market-leading ENDS products, including JUUL, VUSE and NJOY.

--[https://www.fda.gov/tobacco-products/market-and-distribute-tobacco-product/tobacco-product-applications-metrics-reporting?utm\\_campaign=ctp-pmtadefadline&utm\\_content=landingpage&utm\\_medium=email&utm\\_source=govdeliverv&utm\\_term=stratcomms](https://www.fda.gov/tobacco-products/market-and-distribute-tobacco-product/tobacco-product-applications-metrics-reporting?utm_campaign=ctp-pmtadefadline&utm_content=landingpage&utm_medium=email&utm_source=govdeliverv&utm_term=stratcomms)

**IV. New Business -----Michael Plumley/Others**

**A. Synar Site Visit with KY**

**B. Synthetic Nicotine article:** <https://time.com/6098897/vaping-companies-synthetic-nicotine/>

**C. Reports from Board members on any issues of interest.**

**V. Adjournment**

*\*Next meeting (tentative date): December 15, 2021\**